

TRINIDAD CITY HALL
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Steve Ladwig, Mayor
Gabriel Adams, City Clerk



Posted: Tuesday, January 29, 2019

NOTICE AND CALL OF A MEETING OF THE **SHORT-TERM RENTAL COMMITTEE**

The Short-Term Rental Committee will meet on
WEDNESDAY, JANUARY 30, 2019 at 4:30PM
in the Civic Club Room located at 409 Trinity Street.

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- I. **CALL TO ORDER/ROLL CALL**
(5) Voting Members: **Jonna Kitchen**, Trinidad Retreats. **Jan Nash-Hunt**, STR Owner. **Dorothy Cox**, Trinidad Resident. **Dick Bruce**, Trinidad Resident. **Kathleen Lake**, City of Trinidad Planning Commissioner.
 - II. **ITEMS FROM THE FLOOR**
 - III. **AGENDA ITEMS**
 1. Welcome and Introductions.
 2. Discussion/Decision regarding Committee Structure, Assign Roles/Duties.
 3. Discussion/Decision regarding Committee Charter, Purpose, and Goals.
 4. Discussion/Decision regarding Meeting Schedule and Next Steps.
 - IV. **REQUEST FOR FUTURE ITEMS**
 - V. **ADJOURNMENT**

Gabriel Adams
Trinidad City Clerk



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGE

1. DETAILED AGENDA & MEETING OUTLINE

Trinidad Short Term Rental Committee Agenda
Wednesday January 30, 2019 @ 4:30 p.m.

Beginning/ Ending Time	Activity
4:30-4:40	Introductions Introduce yourself and give a brief outline of your interest in the Committee, how you see this Advisory Committee operating and how you hope to contribute.
4:40 - 4:50	Questions Any questions regarding Committee? Time Keeper? Minutes of the Meeting? Parking Lot?
4:50:5:15	Discussion Topic: PURPOSE Given information from public outreach and this committee's report, review of current data and anecdotal information, the STR advisory committee will complete a comprehensive evaluation of the city's management effectiveness of STRs in Trinidad. The committee will provide a report to the City Council with any identified needs and /or improvements, prior to STR renewals by November of each year.
5:15-5:40	Proposals/Resolutions Next steps: Sticky Note Brainstorming Activity. What is working? What needs improvement/impacts? Questions? Information needed? Outreach? How to accomplish tasks? Prioritizing?
5:40-5:45	Summary Timeline. Tasks needed for next meetings. Dates of Next Meetings:
5:45	Adjournment



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

2. **STR COMMITTEE CHARTER & RECRUITMENT ANNOUNCEMENT**

City of Trinidad STR Committee Charter

Powers and Duties:

The primary role of the STR Committee is to advise and provide recommendations to the City Council, staff, and Planning Commission on matters relating to Short Term Rentals in the City of Trinidad.

These duties include:

- To provide a forum for community engagement, outreach, and education for issues regarding short term rentals;

- To periodically review and make recommendations regarding current City Regulations and their implementation with respect to short term rentals;

Committee Composition and Meetings:

Meetings will be held at least quarterly, publicly noticed in accordance with the Brown Act, and open to all.

The membership of the STR Committee shall be appointed by the City Council, and shall be composed of the following representatives:

- 1 Planning Commissioner

- 2 General Public representatives (City Residents)

- 1 STR business representative (STR Owner or Manager)

The City Manager, or his/her designee, shall serve as primary staff liaison to the STR Committee

TRINIDAD CITY HALL
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Susan Rotwein, Mayor
Gabriel Adams, City Clerk



Posted: Tuesday, October 30, 2018

The City of Trinidad is seeking volunteers to serve on the **SHORT-TERM RENTAL ADVISORY COMMITTEE**

The City Council is seeking volunteers who have an interest in advising the City Council on all matters concerning Short-Term Rentals (or STRs) in the City limits. The Council would like this group to be:

- (1) Planning Commissioner
 - (2) members of the public who are not directly affiliated with an STR
 - (2) members of the public who are either STR owners or property managers
- The City Manager or his/her designee will serve as the primary City staff liaison between the Advisory Group and the Council

Purpose of the Advisory Group: The Planning Commission and City Council have worked hard over the last several years to develop a strong, inclusive and fair Ordinance to moderate and guide the actions surrounding Short-term Rentals. After 2 years with an ordinance was in place it became apparent that revisions and adaptations were necessary. Two Councilmembers (West and Baker) spent a year studying the effectiveness of the Ordinance, based on citizen input, review of other ordinances, and many hours of discussion. One result of their good work was the recommendation to form this Advisory Group to keep up with the City, the Ordinance, and the effectiveness of how we administer the whole process.

This Advisory Group is expected to meet quarterly and report annually to the Council. The annual meeting should happen in the late Fall, in anticipation of the next permitting cycle which begins in February. The group is not expected to reach consensus on issues that it reports to the Council. Rather, it is the duty of the Group to reach across all sectors of Trinidad's community to keep the Council informed of the needs of the Ordinance and at times suggest ways to improve if necessary.

Interested residents living within the City limits may send a letter of interest to the City Clerk at:

City of Trinidad, PO Box 390, Trinidad, CA 95570, or by email to: cityclerk@trinidad.ca.gov, or delivered in person to the Town Hall at 409 Trinity Street.

In this letter, please discuss why you want to serve on the Advisory Group, what your understanding and/or familiarity is with the STR ordinance, and how you see yourself working with a group of people who potentially have different and sometimes very opposing points of view.

FILING DEADLINE: NOVEMBER 08, 2018

- Please call Councilmember Ladwig at 707.845.5942 if you have questions
- the STR ordinance is online: <http://trinidad.ca.gov/document-library/document/str-ordinance-11-09-16-final>



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 13 PAGES

3. STR ORDINANCE 2016-03

TRINIDAD CITY HALL
P.O. BOX 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

DWIGHT MILLER, MAYOR
GABRIEL ADAMS, CITY CLERK



ORDINANCE 2016-03

AN ORDINANCE OF THE CITY OF TRINIDAD REPEALING EXISTING SECTION 17.56.190 AND ADDING A NEW SECTION 17.56.190 AND AMENDING SECTION 17.56.060 OF TITLE 17 OF THE TRINIDAD MUNICIPAL CODE (REPEALING EXISTING SECTION 6.26 AND ADDING A NEW SECTION 6.26 AND AMENDING SECTION 6.06 OF THE COASTAL COMMISSION CERTIFIED ZONING ORDINANCE)

The City Council of the City of Trinidad does hereby ordain as follows:

ORDINANCE 2016-03, SECTION 1: PREAMBLE

The City of Trinidad (hereinafter City) is a small town with a population of approximately 350 people. Historically, most houses in the City accommodated resident owners or long-term renters. Over the last twenty years there has been an ongoing trend wherein many houses in the City have been converted to Short Term Rentals (STRs).

The effect on the City has been a noticeable change within many residential neighborhoods. In the winter, many houses in the City are vacant as STR's are not rented as often in the winter months. In the summer, STR's are occupied by transient visitors, often in higher numbers than a residential home. Tourists are concerned with their recreation and vacation pursuits but do not always display an appropriate level of concern for City residents' right to quiet peace and enjoyment of neighboring property.

By this new STR Ordinance, the City attempts to find an appropriate balance between the interests of the City residents, property owners, STRs owners, commerce in the City, and visitors enjoying the City and the coast. In considering these issues the City Council has made the following findings and determinations after long and careful study of the issues:

* The proportion of homes in the City being used primarily as vacation rentals or STRs has risen from approximately 5 percent of the total dwelling units in the City in 2000 to approximately 18 percent in 2014.

* Short Term Rentals in Trinidad provide significant lodging opportunities for visitors and tourists, who are economically important to the retail businesses and restaurants in Trinidad.

* Transient Occupancy Tax from STRs is a significant annual component of the City's General Fund income.

* Given the City's small size and desirability as a tourist destination, the proportion of homes used primarily as STRs may continue to increase in the absence of regulation.

* STRs have the potential to alter the residential character of neighborhoods with impacts related to traffic, parking, noise, occupancy, septic system capacity, housing availability, real estate prices, neighborhood character, City population, the availability of citizens to participate in the community, and the quality of life in the City for both residents and tourists.

* City residents have raised concern over the impacts caused by STR's and the increased number of homes becoming STR's, and called on the City to find a balance between residential and vacation rental uses.

* High numbers and concentrations of STRs can have negative impacts on coastal resources such as environmentally sensitive habitat areas and public access, and STR use needs to be regulated to minimize impacts.

* A City Ordinance regulating some aspects of STRs went into effect in 2015, but did not address the overall number of vacation rentals in the City.

*The California Coastal Commission (Commission) has oversight of City STR regulations, therefore understanding the Commission's guidance and decisions on these issues is a prudent place to start. The Commission has established that:

- STRs are an allowable use in Residential Zoning.
- STRs serve a benefit to the Coastal Act's goals by providing coastal lodging.
- Cities do have legitimate reasons to regulate STRs.
- Coastal Act section 30213 protects lower cost visitor serving uses, including STRs, and the City has an obligation to accommodate those uses.
- Attempts to ban STRs outright have been overruled based on impacts to visitor services opportunities.
- Limits on the number or proportion of homes used as STRs have been upheld, along with reasonable regulations to address potential nuisance impacts.

* California state law and the City of Trinidad General Plan require the City to maintain a mix of affordability in its residential housing stock, but affordability and accessibility of housing for long-term residents is negatively affected by STRs. Prospective buyers interested in living in Trinidad are competing with buyers interested in the house as primarily an STR investment property.

* Engaged citizens who live in a community are the basic fabric that makes up a community, and too high of a tourist-to-resident ratio in our residential neighborhoods can dramatically alter the health and welfare of the City and its residents.

* At the City Council's direction, the Planning Commission devoted substantial effort over nine months of public meetings to developing this ordinance, and the City Council then further considered changes over four months of public meetings to complete this revised ordinance.

* A cap on the number of STR's allowed in Residential Zones is an appropriate tool to set a balance between the benefits and impacts of Short Term Rentals.

* Regulating the transferability of STR licenses will reduce their impact on real estate prices, and it will help achieve the City's desired balance between STRs and long-term residents

* By establishing standards for visitor behavior and occupancy, the City will mitigate the potential conflict between tourists who want to enjoy their vacations and nearby residents who have a right to the peaceful use and enjoyment of their homes.

* Standards for health and safety will ensure appropriate facilities for tourists.

* Standards for visitor behavior, water use, and occupancy will help the City protect the sensitive coastal resources and environment of Trinidad.

ORDINANCE 2016-03, SECTION 2:

There is hereby added to the Trinidad Municipal Code a new Section, Section 17.56.190, replacing the existing Section 17.56.190 (and hereby added to the Coastal Commission certified Zoning Ordinance a new Section 6.26, replacing the existing Section 6.26), "City of Trinidad Short Term Rental Ordinance," which shall read as follows:

Section 17.56.190 (6.26) Regulations for Short Term Rentals

Sections:

17.56.190 (6.26).A	Short Title
17.56.190 (6.26).B	Findings
17.56.190 (6.26).C	Purpose
17.56.190 (6.26).D	Definitions
17.56.190 (6.26).E	Application Requirements
17.56.190 (6.26).F	Maximum Number of Short Term Rentals
17.56.190 (6.26).G	Location
17.56.190 (6.26).H	One STR License Per Owner
17.56.190 (6.26).I	Effect on Existing STRs
17.56.190 (6.26).J	License Transferability
17.56.190 (6.26).K	Homeshare STR Licenses
17.56.190 (6.26).L	Resident STR Licenses
17.56.190 (6.26).M	STR Standards
17.56.190 (6.26).N	Tourist Occupancy Tax
17.56.190 (6.26).O	Audit and Inspection
17.56.190 (6.26).P	Dispute Resolution
17.56.190 (6.26).Q	Administrative Standards and Rules
17.56.190 (6.26).R	Violations
17.56.190 (6.26).S	Ordinance Review
17.56.190 (6.26).T	Severability

17.56.190 (6.26).A Short Title

This Section shall be known and may be cited as "City of Trinidad Short Term Rental (STR) Ordinance."

17.56.190 (6.26).B Findings

The City Council finds that adoption of a comprehensive code to regulate issuance of and standards for Short Term Rental Licenses is necessary to protect the public health, safety and welfare and to strike a proper balance between City residents' concerns and the rights of property owners, STR owners and operators as well as visitors to the City. The City Council finds the regulation of short-term rental uses through this Ordinance, including its non-transferability provisions, to be a valid exercise of the city's police power in furtherance of the legitimate governmental interests documented in this chapter.

17.56.190 (6.26).C Purpose

The purpose of this Section is to establish a permitting process, together with appropriate standards that regulate short-term rental of dwellings in the City in order to: minimize negative secondary effects of Short Term Rentals (STRs) on surrounding residential neighborhoods; preserve the character of neighborhoods in which any such use occurs; ensure that STRs are compatible with surrounding residential and other uses and will not act to harm or alter the neighborhoods within which they are located; minimize impacts to coastal resources; provide for visitor services in accordance with the Coastal Act; and to ensure STRs are consistent with all other provisions of the General Plan and Zoning Ordinance. This section addresses traffic, noise and density; ensures health, safety and welfare of neighborhoods as well as of renters and guests patronizing short-term rentals; and imposes limits on the number of licenses issued to ensure long-term availability of the affordable housing stock and to ensure Trinidad has enough residents to maintain a viable community. This chapter also sets regulations to ensure enforcement of these standards, and collection and payment of fees and transient occupancy taxes.

17.56.190 (6.26).D Definitions

1. City Manager

"City Manager" means the City Manager of the City of Trinidad or their designee.

2. Dwelling.

"Dwelling" means a single family dwelling, including associated accessory structures, or a dwelling unit within a duplex or multi-family dwelling, not to include mobile homes in a mobile home park.

3. Event.

"Event" means any use of a structure or land for a limited period of time. "Event" includes, but is not limited to, art shows, religious revivals, tent camps, concerts, fundraisers, and weddings or receptions. "Event" does not include small parties and social gatherings, of no more than the maximum allowed occupancy, consistent with normal residential use.

4. Existing STR.

"Existing STR" means an STR that had a valid STR license as of the effective date of this ordinance.

5. Full-time STR

"Full-time STR" means any STR that is not a Homeshare STR or Resident STR.

6. Good Neighbor Contract & Good Neighbor Brochure.

"Good Neighbor Contract" means a document, specific to each STR, prepared by the City and approved by the City Manager that summarizes general rules of conduct, consideration, respect, and potential remedial actions. In particular, the contract shall include provisions for maximum occupancy and visitors, off-street parking, noise standards, and penalties for violations. The "Good Neighbor Brochure" is a brief summary of the Good Neighbor Contract, in a form approved by the City Manager, which may include additional information and suggestions for Occupants for minimizing disturbance to neighbors and environmentally sensitive habitat areas. The Good Neighbor Brochure shall be posted or placed in a prominent location inside each STR.

7. Homeshare STR

"Homeshare STR" means a Short Term Rental whereby a homeowner rents out no more than one bedroom in their primary residence and is present on site between the hours of 10PM to 7AM while rented as an STR.

8. Occupant.

"Occupant" within this Section means a person, not a host, owner, guest or tenant, renting or occupying an STR in accordance with this section and staying overnight therein. As used in this Section, 'occupant' does not include up to two children aged 12 or under.

9. Primary Residence

"Primary Residence" means the dwelling owned and occupied as the owner's principle place of residence, where the homeowner lives more than 50% of the year. A person can only have one primary residence at any time.

10. Resident STR

"Resident STR" means a Short Term Rental that is operated less than 60 nights per year and which is the owner's primary residence, but the owner does not have to be in residence while the dwelling is rented as an STR.

11. Responsible Person.

"Responsible Person" means an occupant of an STR who is at least twenty-five (25) years of age, who signs the Good Neighbor Contract and who shall be legally responsible for compliance of all occupants of the STR and / or visitors with all provisions of this Section.

12. Short Term Rental (STR)

"Short Term Rental" (STR) means a rental of any dwelling, in whole or in part, within the City of Trinidad, to any person(s) for transient use, other than (1) a permitted bed and breakfast, (2) ongoing month-to-month tenancy granted to the same renter for the same dwelling, (3) one less-than-30-day rental per year, or (4) a house exchange for which there is no payment.

13. STR Watch List

"STR Watch List" means a list of one or more Short Term Rentals that the City Manager has identified on the basis of good cause, including one or more significant violations, as STRs that warrant a higher level of oversight, scrutiny, review, or monitoring.

14. Transient Use.

"Transient use" means any contractual use of a structure or portion thereof for residential, dwelling or sleeping purposes, for any period of time which is less than 30 consecutive days.

15. Visitor.

"Visitor" means someone staying temporarily at a STR, such as guests of occupants, who is not an 'occupant' and not staying at the STR overnight.

17.56.190 (6.26).E Application Requirements

1. Initial Application.

- a. Each STR must procure an STR License. No additional business license is required for an STR. The STR License shall identify the existence of an STR at a particular address and declare the type of STR, number of bedrooms rented in the STR and its intended maximum occupancy.
- b. A site plan and floor plan must be submitted along with the STR License application so the City can verify the number of bedrooms, off-street parking spaces, and other requirements. The site plan and floor plan do not have to be professionally prepared, but must be to scale and include enough information to verify compliance. A sample rental agreement that includes the Good Neighbor Contract and any other forms as required by the City Manager shall also be provided. Applicants for a Homeshare or Resident STR License shall include documentation that the property is their Primary Residence.
- c. At the time of application for a new STR, the dwelling shall be subject to inspection by the Building Inspector. The purpose of the inspection is to determine the conformance of the dwelling with applicable City regulations. Prior to the issuance of the STR license, the owner of the dwelling shall make all necessary alterations to the dwelling as required by the Building Inspector to conform with applicable codes. This does not mean that the dwelling has to be brought into conformance with current building codes unless, in the opinion of the Building Inspector, the work is necessary to protect public health and safety.
- d. Each application for an STR License shall be accompanied with proof of general liability insurance in the amount of one million dollars combined single limit. In addition, the applicant shall sign an acknowledgement that they will operate the STR in accordance with all applicable rules and regulations, including this section, and that they can be held responsible for the behavior of their occupants and visitors in accordance with this Section.
- e. The City will notify all property owners within 300 feet of an STR property of the STR License within 10 working days of its issuance or re-issuance. This notice shall be combined with the distribution of contact information required in subsection 2.c below. STR License information, including, but not limited to, license number, address, maximum occupancy, Local Contact Person and 24-Hour Contact Phone Number, will also be posted on the City's website.
- f. Upon initial application for an STR License, the City shall provide all STR licensees with copies of informational materials identifying protective measures for preventing and minimizing impacts to

environmentally sensitive habitat areas, water resources, and septic systems from the short term rental use of the residence. Such protective measures include, but are not limited to: (1) avoiding human encroachment into environmentally sensitive habitat areas; (2) directing or screening exterior lighting from illuminating riparian corridor areas; and (3) best management practices for the proper handling and disposal of trash and chlorinated water from hot tubs, swimming pools, and other spa facilities.

2. Contact Information

a. Local Contact Person (LCP).

Each STR must designate a Local Contact Person on the STR License form. That person may be the owner or the property manager. The LCP may designate a temporary LCP for a specific rental night(s); that designation must be reported to the City at least 24 hours before the rental date. The LCP, or their temporary designee, must live within 20 miles of Trinidad and be able to respond personally to an STR concern within 30 minutes.

b. 24-Hour Contact Phone Number.

A 24-hour Contact Phone Number is required for each STR. The 24-hour Contact Phone Number shall be prominently placed for the occupants' use inside the STR. Any change to the 24-hour Contact Phone Number shall be promptly posted within the STR and provided to the Trinidad City Clerk at least 15 days prior to any change. A temporary LCP designee shall utilize the same Contact Phone Number as the LCP.

c. Distribution of Contact Information.

The name of the LCP and 24-hour Contact Phone Number will be forwarded by the City Clerk to the Trinidad Police Department, the County Sheriff's Office, the Trinidad Volunteer Fire Department, and to each neighbor within 300 feet of the STR, and posted on the City's website within 10 business days after the issuance or reissuance of an STR License for the STR.

The contact information sent to neighbors may include further instructions in the case that a response from the LCP is not forthcoming. If there is an emergency or complaint, and the LCP does not respond within a reasonable period of time, concerned persons will be encouraged to report an emergency through the 911 emergency calling system or the Police or Sheriff's Department for other complaints. It is unlawful to make a false report or complaint regarding activities associated with an STR.

3. STR License Renewals

STR licenses shall be renewed annually. Renewals must be submitted by February 1. New STRs that received a license after October 1 do not need to renew their license until the February after the license has been in place for a year.. Any changes to the site plan, floor plan, allowable occupancy, or rental agreement shall be submitted along with the license renewal application. Existing STRs that have not had an initial inspection as required by §17.56.190.E.1.c will be subject to such an inspection.

Although the renewal process includes a staff review of City records and other pertinent information specific to complaints, if any, that have been received about the particular STR, it is the intention of the City of Trinidad that there is a presumption that an application for renewal of an STR License for an existing STR will be approved as long as all applicable standards are still met unless or until such time as the license is revoked pursuant to §17.56.190.R.4 (6.26.R4, *Revocation*) or 17.56.190.M.14 (6.26.M14, *Minimum Activity*) or until the STR license expires pursuant to 17.56.190.J (6.26.J, *License Transferability*) or if it is voluntarily withdrawn.

4. Appeals

Appeals of staff determinations or decisions in accordance with this section shall be appealable per section 17.72.100 (7.14) except that STR License decisions are not appealable to the Coastal Commission because they do not constitute a Coastal Development Permit. Notwithstanding section

17.72.100.D (7.14.D), fees for appeals of STR License decisions shall be set by resolution of the City Council.

5. Fees

Fees for initial applications and renewals for each type of STR shall be set by resolution of the City Council.

6. Application Wait List & Lottery

It is the City's intention to maintain no more than 19 Full-time STR Licenses and 6 Resident STR Licenses in the UR Zone and 6 Full-time STR Licenses in the SR Zone. When an STR license becomes available within one of those limits, the City will hold a lottery to allocate that STR License. The City will maintain a waiting list, for each type of STR License by zone as needed, of property owners who are interested in obtaining an STR License for their dwelling. A property owner may place his or her name on the waiting list at any time, but only once per property. The City will randomly draw a name from the waiting list for the appropriate type of license and zone. If the property meets the applicable location standards (§17.56.190.G (6.26.G)), that owner will have 45 days to submit a complete STR License application, along with any other associated license or permit applications (Use Permit, OWTS Operating Permit, etc.) that may be required. If the property owner does not obtain an STR License within 90 days, or if the property does not meet the applicable location standards, the City will draw another name from the waiting list for that zone and STR type.

17.56.190 (6.26).F Maximum Number of Short Term Rentals

In order to preserve community character and an appropriate balance of residential, commercial and visitor-serving uses, no new Full-time STR licenses shall be issued by the City if the total number of Full-time STR Licenses would exceed 19 in the UR Zone and 6 in the SR Zone, with no limit in other zones. An additional 6 Resident STR Licenses shall be allowed in the UR Zone, with no limit in other zones. Additional Resident STR Licenses may be granted in the UR Zone with approval by the Planning Commission pursuant to the Conditional Use Permit findings and procedures of Chapter 17.72 (Sections 7.06 - 7.18) of the Zoning Ordinance.

17.56.190 (6.26).G Location

STR's are permitted only in legally established dwellings within any zoning district. Each separate STR must obtain its own, individual STR License. There shall be no more than one STR per parcel.

No new STR within the UR zone shall be located where it shares a property boundary with a property containing another STR within the UR zone.

Either of these location standards may be modified through an exception approved by the Planning Commission pursuant to the Conditional Use Permit findings and procedures of Chapter 17.72 (Sections 7.06 7.18) of the Zoning Ordinance. Such an exception shall only be valid as long as the associated STR license is maintained.

17.56.190 (6.26).H One STR License Per Owner

No new STR license shall be issued for a property in the UR or SR Zone if the owner already holds another STR license unless there are fewer than the maximum number allowed pursuant to §17.56.190.F (6.26.F) and no other names are on the wait lists. This limitation shall not apply to renewals of existing STR licenses.

17.56.190 (6.26).I Effect on Existing STRs

Existing STRs, in excess of the number allowed in §17.56.190.F, or that do not meet the location requirements of §17.56.190.G (6.26.G), shall be allowed to continue to operate under an STR license as long as the permit is renewed in accordance with §17.56.190.E.3 (6.26.E.3) unless or until such time as the permit is revoked pursuant to §17.56.190.R.4 (6.26.R.4, *Violations*) or 17.56.190.M.14 (6.26.M.14, *Minimum Activity*) or until the STR license expires pursuant to 17.56.190.J (6.26.J, *License Transferability*).

17.56.190 (6.26). J. License Transferability

An STR License is issued to a property owner for a single location. The STR License shall be revoked when the license holder sells or transfers the real property which was rented pursuant to the STR License except as provided below. For purposes of this section, "sale or transfer" means any change of ownership during the lifetime of the license holder or after the death of the permit holder whether there is consideration or not except a change in ownership where title is held in survivorship with a spouse, or transfers on the owner's death to a trust which benefits only a spouse for the spouse's lifetime, or lifetime transfers between spouses. If the owner is a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity, then "sale or transfer" shall mean a change in 50% or more of the shareholders or members or partners or beneficiaries. A license holder may transfer ownership of the real property to a trustee, a limited liability company, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity and not be subject to permit revocation pursuant to this section so long as the transferor lives and remains the only owner of the entity. Upon the transferor's death or the sale or transfer of his or her interest in the entity to another person, the STR License held by the transferor shall be revoked.

17.56.190 (6.26).K Homeshare STR Licenses

Homeshare STR Licenses allow owners, in their Primary Residence, to rent up to one bedroom as an STR, and the owners must be present at night as host during STR use. Homeshare STRs are subject to all the provisions of this ordinance (section) except the following:

17.56.190 (6.26).F Maximum Number of Short Term Rentals

17.56.190 (6.26).G Location

17.56.190 (6.26).H One STR License Per Owner

17.56.190 (6.26).M.14 Minimum Activity

17.56.190 (6.26).L Resident STR Licenses

Resident STR Licenses only allow STR use up to 59 nights per year. Resident STRs are subject to all the provisions of this ordinance (section) except the following:

17.56.190 (6.26).M.14 Minimum Activity

17.56.190 (6.26).M STR Standards

All STRs will be required to meet the following standards:

1. Transmittal of Rules and Good Neighbor Contract

Prior to rental of an STR, the Responsible Person shall be provided with a Good Neighbor Contract, consisting of a list of rules and responsibilities, in a form approved by the City Manager. The Responsible Person shall initial each rule indicating that they have read it and sign an acknowledgement that infractions will not be tolerated and if any rules are broken, occupants can be fined by the City, lose their security deposit and / or be evicted. In addition, the STR owner or manager, or designated LCP shall meet at least one occupant on the day of their arrival in order to ensure that the rules are understood, and that the occupants have represented themselves correctly. A Good Neighbor Brochure, summarizing the Good Neighbor Contract shall be placed or posted in a clearly visible location within the STR.

2. Noise.

Occupants of STR properties and visitors shall not generate noise such that it would unreasonably interfere with the quiet use and enjoyment of any other residence or business in the area. Any noise occurring after 10:00 pm and before 7:00 am should be contained within the STR and shall not be able to be heard by or offend any adjacent neighbors. What is reasonable in terms of noise generated shall be determined under existing legal standards applicable to evaluating alleged nuisances, including any City noise standards or ordinances.

3. Number of Occupants. The maximum number of occupants allowed in an STR shall not exceed two persons per bedroom plus two people (e.g., a two-bedroom STR may have six occupants), less any residents, tenants, hosts or caretakers living onsite while it is rented. Except that in the UR Zone, on lots less than 10,000 sq. ft. in area, the maximum occupancy is two people per bedroom (e.g. a two bedroom STR in the UR zone may have four occupants). In the SR Zone, if the STR has a total

floor area that exceeds 800 square feet per bedroom, then for each additional 500 square feet of floor area above this total, one additional occupant may be allowed, up to a maximum of two additional occupants. Where it can be determined based on the Humboldt County Division of Environmental Health permit or file information or an actual inspection of the system, the number of bedrooms will be based on the design capacity of the septic system.

4. Visitors.

The number of visitors to an STR shall be limited to not more than the allowable occupancy of the STR at any time. For example, if the maximum occupancy is 6, then no more than 6 visitors are allowed. Visitors are not allowed in the STR between 11 p.m. and 7 a.m. and shall not stay overnight on the premises. Regardless of the allowable occupancy, there shall be no more than 20 combined occupants and visitors on the premises at any time.

5. Guest Registry

The STR owner or manager shall maintain an occupant and vehicle register for each tenancy of the STR. The register shall include the names and vehicle license plate numbers for all occupants as well as the dates of the rental period. The guest registry must be available for City inspection upon request.

6. Off-Street Parking.

An STR must provide at least one off-street parking space for every two occupants allowed in the STR pursuant to Section 17.56.190 (6.26).M.3. The off-street parking space(s) shall be entirely on the STR property. STR owners/managers shall not use public right-of-way (street) spaces to meet their required off-street parking needs. Off-street parking spaces will not be located on the septic system unless it is designed and rated for traffic in a manner that will not compromise the functioning of the septic system. STRs that were previously granted a parking exception by the City may continue to operate under that exception as long as they maintain their STR license in good standing. Occupants will be required to utilize onsite parking prior to utilizing offsite and on-street parking as part of the rental contract but are not allowed to park onsite in undesignated parking spaces. Occupants and visitors shall be encouraged to not take up all of the available street parking of adjacent and nearby properties.

7. Water Use.

To prevent overloading of septic systems, each STR shall be operated in a manner to ensure that the occupancy and use of an STR shall not result in annual domestic water use greater than that associated with the non-STR use of the residence based on an average daily consumption of 150 gallons per bedroom (7,324 cubic feet per year per bedroom) with a 30% allowance for landscaping above the design flow.

Where it can be determined based on the Humboldt County Division of Environmental Health permit or file information or an actual inspection of the system, the number of bedrooms will be based on the design of the septic system. Annual water use records will be kept on file along with the STR License and application materials to allow for verification that the STR water use did not exceed allowable volumes as described above.

If the City determines that the STR use has exceeded the appropriate average annual water usage, as described above, during the preceding year, the STR owner/manager shall take constructive measures to reduce water use. Adaptive measures include, but are not limited to: (a) installing water conservation fixtures and appliances; (b) planting xerophytic landscaping; and/or (c) reducing the maximum occupancy of the STR.

8. Septic System.

Each STR's owner or property manager must provide proof that the septic system for the structure in which the STR is located is functioning properly and in conformance with all federal, state, and local regulations. Information on the appropriate use of a septic system, in a form approved by the City Manager, shall be posted in each kitchen and bathroom in the STR.

9. Appearance and Visibility.

The outside appearance of the STR structure shall not change the residential character of the structure by the use of colors, materials, lighting, or signage (except as allowed by Section 17.56.160 (6.16)). The STR shall not create any noise, glare, flashing lights, vibrations, or odors that are not commonly experienced in residential areas or that would unreasonably interfere with the quiet use and enjoyment of any other residence or business in the area.

10. Signs.

A single sign, legible from the property's street frontage, and no greater than 3 square feet in size may be attached to the STR structure or placed immediately adjacent to the front of the STR structure. The purpose of the sign is to notify the public that the structure is or contains an STR. The sign must provide the 24-hour Contact Phone Number for complaints, and a business telephone number for persons seeking information on the STR. The signage shall comply with all applicable standards of the Zoning Ordinance's sign regulations.

11. Trash.

Trash and refuse shall not be left stored within public view, except in proper containers for the purposes of collection. There shall be no accumulation or storage of trash and / or debris on the site or within the STR.

12. Traffic.

Vehicles used and traffic generated by the STR shall not exceed normal residential levels or unreasonably interfere with the quiet use and enjoyment of any other residences or businesses in the area. What is reasonable in terms of traffic generated shall be determined under existing legal standards applicable to evaluating alleged nuisances.

13. Tenancy.

The rental of an STR shall not be for less than two successive nights.

14. Minimum Activity.

A Full-time STR shall be rented for a minimum of 60 nights per year in order to maintain an STR License. If the STR owner / manager fails to document rentals of at least 60 nights per year, the City Manager may determine that license is inactive and ineligible for renewal.

15. Emergency Preparedness.

Information regarding local hazards, such as earthquakes and ocean related hazards, in a form approved by the City, shall be posted within the vacation rental in an easily seen location, such as the entry or kitchen area. In particular, information regarding regular testing of the tsunami siren, the Volunteer Fire Department siren and real emergencies shall be included.

17.56.190 (6.26).N Tourist Occupancy Tax

The letting, leasing, or other contractual use of an STR is subject to a Transient Occupancy Tax ("TOT") and any other mandated taxes. Each STR owner and/or manager shall meet all of the requirements of the City with respect to registration of TOT collectors, and the collection, recordkeeping, reporting and remittances of applicable TOT.

17.56.190 (6.26).O Audit & Inspection

Each owner and manager or representative of any owner shall provide access to each STR for inspection and any records related to the use and occupancy of the STR to the City at any time during normal business hours with at least 24 hour notice, for the purpose of inspection or audit to determine that the objectives and conditions of this Section are being fulfilled.

17.56.190 (6.26).P Dispute Resolution

By accepting an STR License, STR owners agree to act in good faith to resolve disputes with neighbors arising from the use of a dwelling as an STR, including engaging in mediation, at owners' expense. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution should be conducted through Humboldt Mediation Services.

17.56.190 (6.26).Q Administrative Standards and Rules

The City Manager shall have the authority to establish administrative rules and regulations consistent with the provisions of this Section for the purpose of interpreting, clarifying, carrying out, furthering, and enforcing the requirements and the provisions of this Section. In particular, the City Manager will establish administrative procedures for complaints. A copy of such administrative rules and regulations shall be on file in the Office of the City Clerk and posted on the City's website.

17.56.190 (6.26).R Violations

1. Penalty

It is unlawful to violate the provisions of this Section. Violations of this Section are punishable as either infractions or misdemeanors, pursuant to the provisions of Section 17.76.050 (7.20) of the Zoning Ordinance. Each separate day in which a violation exists may be considered a separate violation. The City of Trinidad can also enforce these STR regulations by way of nuisance abatement action pursuant to Chapter 8.12 of the Municipal Code. Enforcement by way of a nuisance action shall be discretionary and shall only occur upon a lawful vote of the Trinidad City Council to prosecute the matter as a civil nuisance action.

2. Fines

- (a) The City Manager shall be authorized to impose administrative penalties for the violation of any provision of this section or ordinance in an amount not to exceed a maximum of \$1000 per day for each continuing violation, except that the total administrative penalty shall not exceed \$100,000 exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations.
- (b) In determining the amount of the administrative penalty, the City Manager may take any or all of the following factors into consideration:
 - (i) The duration of the violation;
 - (ii) The frequency, recurrence and number of violations, related or unrelated, by the same violator;
 - (iii) The seriousness of the violation;
 - (iv) The effect the violation may have upon adjoining properties;
 - (v) The good faith efforts of the violator to come into compliance;
 - (vi) The economic impact of the penalty on the violator; and/or
 - (vii) The impact of the violation on the community.
- (c) In most cases, initial fines will start at \$200, with higher amounts reserved for exceptional situations like repeated violations, failures to promptly correct violations, or deliberate violations of this Section.

3 Property Watch List

Upon a determination of good cause including but not limited to one or more significant violations, the City Manager may impose additional or special standards or requirements for (1) the determination or placement of properties on the Property Watch List; (2) placement or imposition of special conditions or performance standards for Owners, Owner's Agents, Local Contact Persons, and their affected STRs on the Property Watch List; and (3) and removal of an STR from the Property Watch List.

4. Revocation

If the STR owner or property manager is deemed by the City Manager to be negligent in responding to a complaint more than two times in a 12-month period, or if more than two documented, significant violations, defined below, occur in any 12-month period, the STR License may be revoked. No revocation shall occur unless decided by a lawful majority vote of the Trinidad City Council and after written notice, served by first class mail, of at least 21 days was given to the owner of record and the Local Contact Person as set forth in the STR application. Revocation may be temporary or permanent depending on the nature and number of the violations.

5. Appeals

Appeals of City Manager determinations or decisions regarding violations, penalties, and fines shall be appealable per Section 17.72.100 (7.14), except that such determinations and decisions are not appealable to the Coastal Commission because they do not constitute a Coastal Development Permit. Notwithstanding Section 17.72.100.D (7.14.D), fees for appeals of violation and penalty decisions shall be set by resolution of the City Council.

6. Significant Violations

Complaint as used in this subsection means the need or requirement to contact the Local Contact Person to rectify a situation that is disturbing to a neighbor or resident. Complaints, and their resolution, must be reported to the City Clerk's office by the Local Contact Person within two business days of being received.

As used in this subsection, significant violation is a situation where the Local Contact Person is either unable or unwilling to rectify the situation within 30 minutes, and / or when public safety personnel must be called to assist in resolving the situation, or that causes substantial disturbance to the neighbors or neighborhood.

Examples of significant violations include, but are not limited to:

- (i) Failure of the local contact person, owner or manager to respond to a complaint within 30 minutes.
- (ii) The inability of City staff or the Sheriff's Dispatch to reach a contact person.
- (iii) Failure to maintain or provide the required guest registry.
- (iv) Violation of the STR maximum occupancy, parking, noise and other requirements as set forth in Section 17.56.190.H (6.26.H).
- (v) Failure to notify City staff when the contact person or contact information changes.
- (vi) Failure to pay fees or TOT in accordance with this Section.
- (vii) Providing false or misleading information on an STR License application or other documentation as required by this Section.
- (viii) Violations of state or County, or City health regulations
- (ix) Repeated minor violations and / or complaints

Examples of acceptable documentation of significant violations include, but are not limited to:

- (i) Copies of citations, written warnings or other documentation filed by law enforcement.
- (ii) City file information.
- (iii) Advertisements for the STR
- (iv) Signed affidavits and / or photographic evidence from neighbors or other witnesses
- (v) Other documents which substantiate allegations of significant violations.

The City Manager shall have the authority to determine what constitutes a significant violation, as necessary, to achieve the objectives of this Section. A list of all such additional significant violations shall be maintained and on file in the office of the City Clerk and such offices as the City Manager designates.

7. False Reports and Complaints

It is unlawful to make a false report to law enforcement or City officials regarding activities associated with short term rentals.

17.56.190 (6.26).S Ordinance Review

This ordinance shall be reviewed by the Planning Commission within two years after its certification, and periodically thereafter, to ensure that it is meeting the needs of the community.

17.56.190 (6.26).T Severability

Should any subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ORDINANCE 2016-03, SECTION 3:

Revise Chapter 17.56, Section 17.56.060, Home Occupations, (Article 6, Section 6.06, Home Occupations) to read, in context, as follows:

17.56.060 (6.06) Home occupations

Home occupations, including but not limited to sewing, music studios, art studios, home and health care product distributors, or bookkeeping, ~~rooming and boarding, of not more than two persons, including~~ tourists, shall be permitted as an accessory use to any dwelling subject to the following conditions:...

PASSED, APPROVED, AND ADOPTED this 1st day of November, 2016.

Ayes:	West, Fulkerson, Miller, Baker, Tissot
Noes:	None
Abstain:	None
Absent:	None

Attest:

Approved:

Gabriel Adams
City Clerk

Dwight Miller
Mayor

First Reading: ***Tuesday, November 01, 2016***

Second Reading: ***Wednesday, November 09, 2016 - Passed unanimously.***



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

4. STR PERMIT RENEWAL APPLICATION FOR 2019



To: Vacation Rental Owners, Operators, & Managers.

Date: Friday, December 06, 2018

Re: **Short-Term Rental Permit Renewal**

You are receiving this letter as the owner or operator of a Short-Term Rental (STR) within the City of Trinidad, as your **license will expire on January 31, 2019**.

STR Ordinance 2016-03 was certified by the Coastal Commission on June 06, 2017. The ordinance requires that a STR License must be obtained from the City for each individual Short-Term Rental.

An application to renew your license is included with this letter. All material must be submitted in its entirety in order to be accepted **by 2:00 pm on Monday, January 14, 2019**. Copies of your application and inspection materials were mailed with your 2018 license at issuance.

You are encouraged to complete and return the application promptly; as staff will be processing applications in the order they are received. Upon processing your application, an annual inspection will be scheduled with our Building Inspector. If you have any questions, please contact the City at 707.677.0223.

OWTS & Proof of Insurance must be kept to date: Septic System Permits and Proof of Insurance certificates must be kept up to date during this license period. Should they expire, you may risk having your license temporarily suspended until current records are approved and updated by the City.

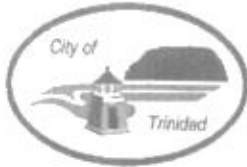
Contact Information must be kept up to date: The City must be notified immediately if information regarding your Local Contract Person (LCP) changes.

Site and Floor Plans: May not be accepted in 2019 if they are not to scale, not legible, or were identified this year as needing improvement.

Feel free contact me with any questions at 707.677.0223 or cityclerk@trinidad.ca.gov.

Sincerely,

Gabriel Adams
City Clerk



2019 STR APPLICATION CHECKLIST

Vacation Rental Name: _____

Property Street Address: _____

Property Manager: _____

Owner: _____

THE FOLLOWING INFORMATION MUST BE INCLUDED WITH YOUR 2019 STR APPLICATION:

- ☐ **Annual Renewal Fee:** \$300.00
- ☐ **Site Plan:** Of entire property drawn to scale showing and labeling all structures, including those not associated with the STR, OWTS location and off-street parking spaces.
- ☐ **Floor Plan:** Drawn to scale showing bedrooms & total square footage.

Please note: If the STR is not the entire property, then the floor plan must indicate the portions of the home that will be used as a VDU and any areas of the home that will be "shared use" between the STR guests and long-term tenants or owners.

- ☐ **Proof of Insurance:** Proof of General Liability Insurance covering STR use of your property in the amount of \$1M combined single limit.
- ☐ **Documentation of Primary Residence (Homeshare and Resident STRs only):** Proof that the STR is the homeowner's primary residence (> 50% of the year) in the form of a County tax exemption form.
- ☐ **Acknowledgement:** Signed and dated STR License Acknowledgement
- ☐ **Rental Agreement:** Copy of Rental Agreement addressing all requirements of STR Ordinance.
- ☐ **Good Neighbor Contract:** As an attachment to the main rental agreement/contract, or included within it.
- ☐ **Local Contact Person & 24/7 Emergency Contact Number:** Phone number included on the application. Must live within 25 miles/30 minutes of STR, and be prominently displayed inside the STR.
- ☐ **OWTS Permit:** A copy of your current OWTS permit. OWTS renewals and fees are due three months prior to expiration of your current permit. At that time, a new owner questionnaire, renewal fee and inspection report by a licensed contractor are generally required along with any other requirements as noted on your previous permit.
- ☐ **Sign compliance:** If your STR has exterior signage to alert the public that a rental exists at that location, please provide a photo of the sign along with dimensions.

Ordinance 2016-03, 17.56.190(6.26)M,10: A single sign, legible from the property's street frontage, and no greater than 3 square feet in size, may be attached to the STR structure or placed immediately adjacent to the front of the STR structure. The purpose of the sign is to notify the public that the structure is or contains a STR. The sign must provide 24-hour emergency telephone contact number for complaints and a business telephone number for persons seeking information on the STR.

APPLICATION NOTES:



2019 SHORT-TERM RENTAL LICENSE APPLICATION

Operation of a Short-Term Rental (STR) in the City of Trinidad requires a STR License which must be renewed annually. This license application form, when fully completed and signed below by an authorized City staff person, shall serve as your STR license for 2019. Please review the new STR Ordinance (2016-03) and contact City staff if you have any questions.

Inspections will be scheduled as soon as the applications are received and processed. All STR's must complete the process and have a permit secured by February 01, 2019, so please return the application materials as soon as possible.

Type of Rental: (check one) ☐ Full-time STR ☐ Homeshare STR ☐ Resident STR

Homeshare STR - Homeowner rents out no more than one bedroom in their primary residence and is present on site between the hours of 10PM to 7AM while rented as an STR.

Resident STR - operates less than 60 nights per year, must be the owner's primary residence, the owner does not have to be living at the property while the dwelling is rented as an STR

STR 'Marketing Name' i.e. 'Trinidad Cottage': _____

STR Street Address: _____

Property Management Company: _____

Property Manager & Phone Number: _____

Property Manager Email: _____

Local Contact Name and 24-Hour Contact Number: _____
(This number will be shared with neighbors of the STR and placed on the City website)

Property Owner(s): _____

Owner Mailing Address: _____

Owner Phone Number: _____

Owner Email: _____

Number of Bedrooms*: _____ * Only include bedrooms that are part of the STR

Total Interior Square Footage: _____ **Total Property Square Footage:** _____

Number of Off Street Parking Spaces: _____ (Include Site Plan showing parking locations)
(Off-Street = fully located on private property – not on street or alley public right of way)

Maximum Number of STR Occupants Proposed: _____
(Generally two occupants per bedroom in UR zoning and 2 per bedroom plus 2 in other zoning, see Ordinance 2016-03)

Number of Long Term Renters/Owner sharing the property with STR guests: _____
Indicate if anyone else will be residing at the property while in use as a STR

Marketing Sites Used: (VRBO, Airbnb, etc.)

Annual Renewal Fee: \$ 300

The renewal fee is due with this License Renewal Application by **January 14, 2019**. Please make check payable to: **City of Trinidad, P.O. Box 390, Trinidad, CA 95570.**

Additional Required Information

The following documents should be included with this completed application:

- 1) Completed STR Application Checklist
- 2) Rental agreement in use for the STR
- 3) Current OWTS Permit
- 4) Proof of Insurance
- 5) Site and Floor Plans

Certification & Acknowledgement

I hereby certify under penalty of perjury that:

- 1) I am the owner, or an authorized agent of the owner, of the STR described in this application, and;
- 2) The information included with this application is true and correct, and;
- 3) I will operate this Short-Term Rental in accordance with the rules and regulations defined in Ordinance 2016-03 of the City of Trinidad.
- 4) I understand that the owner/manager could be held responsible for the behavior of their occupants and visitors in accordance with section 17.56.190 (6.26).E 1.d.

Signature: _____ Date: _____

Print Name and Title: _____

Indicate if you are the Property Owner, or Agent? _____

Official Use Only

License No: _____ Issue Date: _____

Maximum Occupancy: _____ Zoning Designation: _____

OWTS Expiration: _____

SITE PLAN

**Site Plan does not need to be professionally prepared, but must be roughly to scale and show all structures, OWTS placement and available off street parking for the STR.*

FLOOR PLAN

**Floor Plan does not need to be professionally prepared, but must be roughly to scale and clearly illustrate the number of bedrooms. If the STR is only part of the home, please clearly indicate what part of the home comprises the STR and any shared areas between the STR and long term residents.*



STR COMMITTEE BACKGROUND INFO

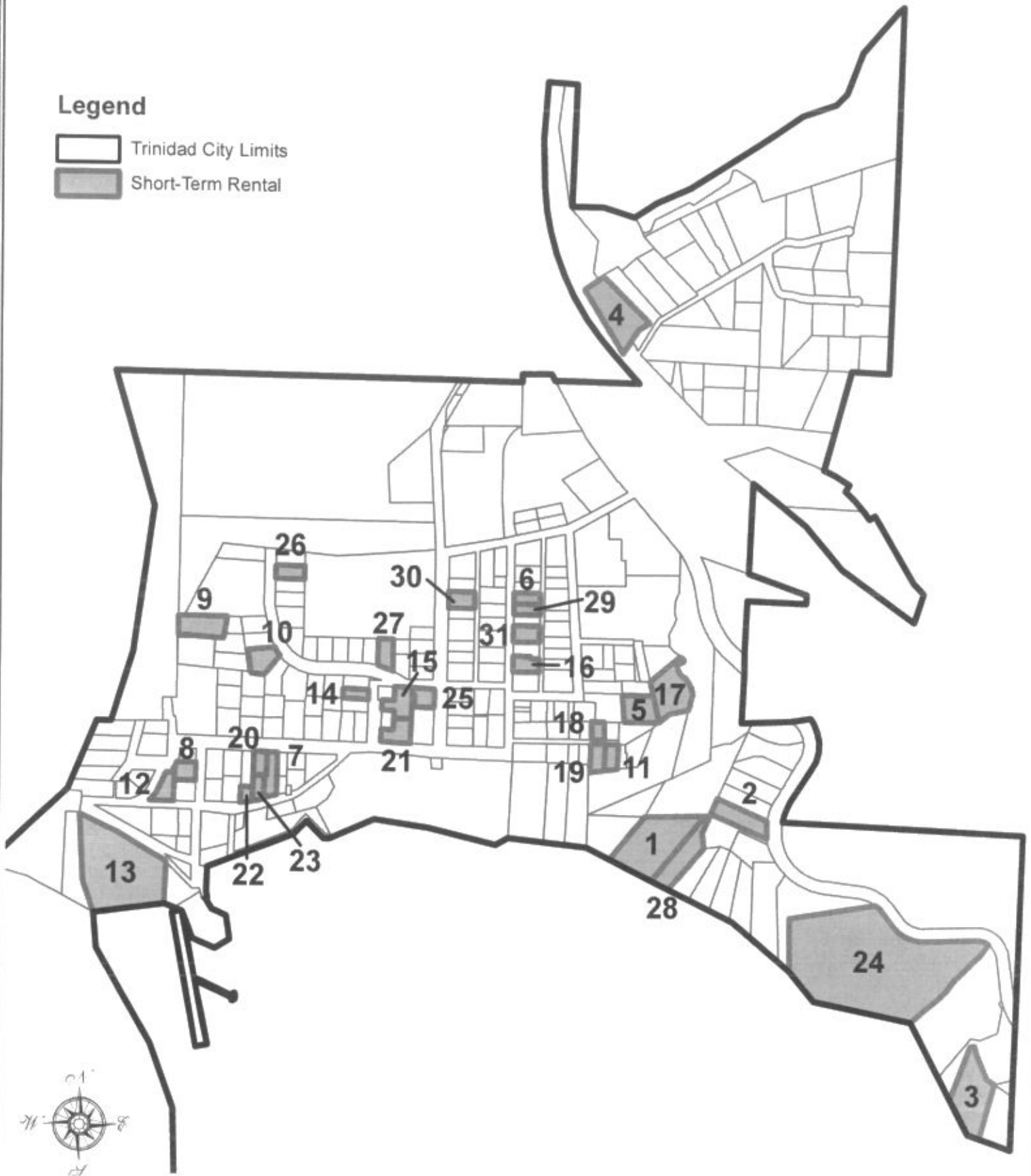
SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

5. STR LOCATION MAP 2018

Short-Term Rentals

Legend

- Trinidad City Limits
- Short-Term Rental



www.trinidad.ca.gov

0 300 600 1,200



1" = 600 feet

11/1/2017

Streamline
Planning Consultants



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

6. STR PUBLIC NOTIFICATION LIST AND CITIZEN COMPLAINT FORM



To: Trinidad Residents

CONTACT LIST REVISED 09/06/18

Date: Wednesday, November 03, 2017

From: Dan Berman, City Manager

Re: **Notification of Short-Term Rental Licenses & Property Management Contact Information**

The City is in the process of issuing Short-Term Rental (STR) renewal licenses to properties inside the city limits that comply with the standards and application requirements defined in the amended STR Ordinance 2016-03, certified by the Coastal Commission on June 08, 2017.

The Ordinance requires neighbors within 300 feet of a licensed STR to be notified by the City of the operation of the STR, the Local Contact Person (LCP), and 24-hour contact number for the STR. This letter serves as notification, and provides guidance regarding the process for addressing complaints that may arise at an STR including, but not limited to: gatherings that exceed the permissible occupancy, excessive noise, or activities that are not common or consistent with residential uses.

Included with this letter is a contact list showing each STR address, maximum allowable overnight occupancy, Local Contact Person, and 24-hour contact number. This information is available and will be kept updated on the City's website at www.trinidad.ca.gov. There is also a map online that identifies each rental by the number that corresponds to the contact list for quick reference.

Process for addressing complaints

By accepting an STR License, owners agree to act in good faith to resolve disputes with neighbors arising from the use of a dwelling as an STR. They are required to appoint a Local Contact Person that is able to respond to an STR concern that is disturbing a neighbor or resident within 30 minutes.

If you encounter a non-emergency problem with a licensed STR, **your first step is to call the Local Contact Person – do not email or send text messages.** Examples of non-emergency problems that violate the STR Ordinance regulations include:

- Gatherings that violate the standards such as maximum number of occupants and/or visitors allowed.
- Excessive noise - especially noise that is not contained within the rental between the quiet hours of 10:00pm and 7:00am.
- For pet-friendly STR's, unleashed or nuisance dogs.

If your non-emergency complaints do not receive a response within 30 minutes and require immediate assistance, **the next step is to call the Humboldt County Sheriff Dispatch at 707-445-7251.**

If you wish to pursue further enforcement action for issues you believe violated the policies and standards set forth in the ordinance, you are entitled to submit an official complaint in writing to the City of Trinidad. The form can be downloaded from the City's website, or can be requested by contacting the City Clerk. Complaints and violations are enforced by the City as set forth in Section 17.56.190 (6.26) R, Violations.

If there is an emergency, call 911 for immediate law enforcement assistance.

If you have questions regarding the City's STR Ordinance or would like a list of specific rentals that are within 300 feet of your home, contact City Manager Dan Berman at 707-677-3876, or City Clerk Gabriel Adams at 707-677-0223 between the hours of 9am-2pm Monday-Friday.

CITY OF TRINIDAD SHORT-TERM RENTAL LIST & CONTACT INFORMATION					
	Address	Name	Max Occ.	Property Manager	24-Hour Contact
TRINIDAD RETREATS					
1	30 Scenic Dr.	Sea Cliff	6 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
2	80 Scenic Dr.	Scenic Cove	6 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
3	145 Scenic Dr.	Raven House	4 guests	Jonna & Reid Kitchen	707-599-6249, 834-1312
4	15 Berry Rd.	J & R Hideaway	8 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
5	201 Parker Creek Dr.	Parker Creek Cottage	6 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
6	363 Ocean Ave.	Retro Retreat	6 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
7	807 Edwards St.	Tresure Cove	8 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
8	550 Galindo St.	Sunset Vista	6 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
9	401 Ewing St.	Trinidad Treasure	8 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
10	789 Underwood Dr.	Fisherman's Escape	8 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
11	351 Wagner St.	Pelican's Nest	4 adults, 2 kids	Jonna & Reid Kitchen	707-599-6249, 834-1312
REDWOOD COAST VACATION RENTALS					
12	88 Van Wycke	Trinidad Beach Home	2 adults, 2 kids	Dori Fulk	707-840-2810
13	Trinidad Harbor	Seascape House	8 adults, 2 kids	Dori Fulk	707-840-2810
14	528 Hector St.	Whale Song	6 adults, 2 kids	Dori Fulk	707-840-2810
15	651 D Parker St.	Bouy Bell	4 adults, 2 kids	Dori Fulk	707-840-2810
16	461 Ocean Ave.	Trinidad Village Retreat	4 adults, 2 kids	Dori Fulk	707-840-2810
17	178 Parker Creek Dr.	Paloma Creek	10 adults, 2 kids	Dori Fulk	707-840-2810
18	396 Wagner St.	"C" Lilly Cottage	4 adults, 2 kids	Dori Fulk	707-840-2810
TRINIDAD BAY VACATION RENTALS					
19	375 Wagner St.	Pacific Heights	6 adults, 2 kids	Lynda Moran	707-845-1144
20	829 Edwards St.	Harbor House	4 adults, 2 kids	Lynda Moran	707-845-1144
21	670 Edwards St.	Harbor Moon	8 adults, 2 kids	Lynda Moran	707-845-1144
See permit # 28, Groth House (also Moran as of 2018.)					
INDEPENDENTS					
22	818 Van Wycke	Crows Nest	4 guests	Karen Hicks	707-599-1156
23	816 Van Wycke	Boat House	4 adults, 2 kids	Casey Van Alten	707-498-4852, 677-3445
24	130 Scenic Dr.	Osprey House	8 adults, 2 kids	Gabriel Adams	707-499-6473
25	607 Parker St.	Sea Breeze	6 guests	Gabriel Adams	707-499-6473
26	894 Underwood Dr.	Sunset House	8 adults, 2 kids	Arlene Miller	707-502-7631
27	652 Underwood Dr.	Pilot Rock Cottage	2 adults, 2 kids	Steve Ladwig	707-845-5942
28	40 Scenic Dr.	Groth House	6 guests	Lynda Moran	707-845-1144
29	381 Ocean Ave.	Starfish House	2 adults, 2 kids	Amy Gonzalez	831-713-0740
30	363 Trinity St.	Fern Alley	2 adults, 2 kids	Richard Kieselhorst	707-677-3881
31	407 Ocean Ave	Ocean Retreat	6 adults, 2 kids	Michelle McHenry	619-347-0378

CITY OF TRINIDAD
P.O. BOX 390
TRINIDAD, CA 95570



CITIZEN COMPLAINT FORM

DATE:

TIME:

SUBJECT OF COMPLAINT:

DETAILS OF COMPLAINT:

*** OPTIONAL INFORMATION ***

NAME:

TELEPHONE:

ADDRESS:

EMAIL:

SIGNATURE:

REPLY REQUESTED : YES NO

NOTE: INFORMATION CONTAINED IN THIS FORM MAY BE SUBJECT TO REVIEW THROUGH THE PUBLIC RECORDS ACT

*** OFFICIAL USE ONLY ***

DATE & TIME COMPLAINT RECEIVED:

COMPLAINT #

COMPLAINT RECEIVED BY:

IN PERSON MAIL EMAIL TELEPHONE

ACTION TAKEN:



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

7. 2018 GRAND JURY REPORT

A Tale of Two Cities Vacation Rentals in Trinidad, California

SUMMARY

Trinidad is a quaint seaside town in the heart of Redwood Country. It is a popular vacation destination for people searching for outdoor experiences along the Pacific Coast and in the ancient forests. It is also the type of small town where families dream of raising their children and retirees hope to enjoy a calm and uncomplicated life. Unfortunately, life is not as idyllic as it could be.

For the past twenty years or so, homes have been bought not only by those wishing to become permanent residents, but also by those seeking them for income purposes. As the latter group has opened short term rentals (STRs) in the houses they have purchased, conflict with some permanent residents has arisen.

The Humboldt County Civil Grand Jury (HCCGJ) determined an investigation into the points raised by Trinidad residents was warranted. Quite early in our study, it became apparent STRs are allowed as California Coastal Commission (CCC) policies support the establishment of STRs in Trinidad. Issues we chose to investigate included a lack of enforcement of STR regulations, the complaint appeal process, and possible conflicts of interest. After examining the city budget, it became clear the funds raised by the Transient Occupancy Tax (TOT) were vital to maintaining city services. We also found city officials have not been resolving some residents' concerns or requests in a forthright, timely manner.

The HCCGJ concluded Ordinance 2016-03 should resolve complaints and problems. The HCCGJ recommends all factions follow the procedures set up in the ordinances to bring a successful conclusion to the conflicts facing Trinidad.

BACKGROUND

Several complaints were received from Trinidad citizens upset with the proliferation of STRs in their town. They also expressed concern about how their complaints were being handled by Trinidad city officials.

The HCCGJ interviewed a representative of the concerned residents. At that initial meeting, the representative presented the HCCGJ with a volume containing written complaints and responses as well as numerous e-mail exchanges. After studying this material, it was decided that an investigation should be initiated.

The HCCGJ realized there are usually at least two versions of the same story so it interviewed Trinidad city officials mentioned in the material we had received. Additional interviews were conducted with people from both sides of the issue. Many permanent residents, those who filed the bulk of the complaints, want the quality of their small town to remain as it has been for years. The anti-STR faction want its concerns taken seriously and acted upon quickly. In addition, the specter of conflict of interest on the part of some city officials was raised. On the other side, business owners and investors see tremendous potential in developing the tourism industry in this unique town. The Trinidad city governing body welcomes the increased tax dollars

generated by the STRs as a means of keeping the small town financially viable. City government asserts it was attempting to solve troublesome issues, but such action takes time.

Additional research indicated there is a third player, the California Coastal Commission (CCC). As Trinidad lies within the coastal zone, the CCC has jurisdiction over some issues. When the city sent its original ordinance governing STRs to the CCC, it returned the ordinance with the direction to amend portions of it. After many meetings, discussions, and suggestions, Ordinance 2016-03 was approved by both the City of Trinidad and the CCC. This ordinance repealed and amended certain sections of the earlier ordinance as well as added new sections. It went into effect in 2017.

METHODOLOGY

The Humboldt County Civil Grand Jury:

- Conducted interviews with complainants and city officials
- Read and reviewed over a thousand pages of documents from both sides
- Researched and read numerous public documents and local media
- Examined emails and other correspondence

DISCUSSION

The small town of Trinidad embodies the hopes and dreams of many people within its tiny environs. Many of the residents want it to be the friendly, uncrowded place they remember existing when they moved there. Entrepreneurs hope to create businesses in its charming neighborhoods. Trinidad's city government hopes its decisions will make all these dreams come true.

However, Trinidad is not necessarily the peaceful place it appears to be at first glance. Fear, mistrust, frustration, and anger were expressed by some residents and city officials. What causes these emotions? The proliferation of short term rentals (STRs) and the problems they brought have changed the character of the town.

Trinidad is not alone in facing this issue. Cities and states throughout our nation, indeed the world, are experiencing the same concern. Just as Uber is changing the way people travel, STRs are transforming where visitors stay. In towns like Trinidad with limited or no commercial hotels/motels, residents have turned their spare rooms into overnight accommodations. It did not take long for real estate professionals and others to realize the profitability of buying houses and converting them to tourist rentals. At first, this new industry grew with little or no regulation. The lack of firm guidelines inevitably led to some of today's problems and conflicts.

Between 2000 and 2010, the vacation rental industry grew unrestricted according to city officials. As complaints about the STRs surfaced, the first city ordinance (2014-01) was proposed. It defined the zones within Trinidad which were opened to STR or Vacation Dwelling Unit (VDU) development. It stated:

VDUs (also known as STRs) are permitted only in Special Environment Residential, Urban Residential, and Planned Development zoning districts. VDUs are also permitted

in a legally established accessory dwelling unit subject to meeting the requirements of this Section. Each separate VDU must obtain its own, individual VDU License. There shall be no more than one VDU per parcel, except that on lots with three or more legally established dwelling units, the number of VDUs may not exceed seventy-five percent (75%) of the total dwelling units.

While this ordinance provided a good start, it did not resolve some of the problems raised by residents. They were not only upset with the number of STRs, but also with the increased noise and traffic, to name just two issues. Many of them felt there was a conflict of interest as some city officials retained interests in STRs at the same time they were re-issuing renewals. Emails and other correspondence questioned whether required inspections were performed and expressed frustration at attempting to resolve complaints. As a result, revisions were drafted to address these concerns.

Since Trinidad lies within the jurisdiction of the California Coastal Commission (CCC), it had to be consulted. This added time to the process. As the CCC reviewed the document, it required changes and additions. Eventually, a revised Ordinance 2016-03 was approved by both bodies. It became effective in June 2017.

While Trinidad is to be applauded for being the first city in Humboldt County to develop and pass an ordinance governing STRs, it did not come soon enough to avoid the disagreements among city residents. Citizens chose sides; confrontations occurred among neighbors and between residents and visitors. The key issues were not only with the number of STRs, but also with a lack of enforcement of STR rules and regulations, the complaint process, and possible conflicts of interest by city officials.

Number of STRs

One of the major complaints expressed by those opposed to STRs was the town's loss of permanent residents. With houses being bought for investment purposes, the number of units available to potential full-time residents, such as families and retirees, dwindled. According to the preamble to Ordinance 2016-03, the proportion of homes being used primarily as vacation rentals grew from 5% in 2000 to approximately 18% in 2014. The ordinance established the number of STRs allowed in Trinidad.

STR opponents point to a declining number of volunteers willing to support town activities. In the last city-wide election, there was a serious lack of candidates for office as well as to serve on city boards and commissions. The number of townspeople willing to volunteer as firefighters diminished.

Lack of Enforcement

The HCCGJ read volumes of complaints from residents to city officials concerning perceived violations of the rules and regulations governing STRs. The organization Saving Trinidad Neighborhoods (STN) submitted a six-page, detailed memo to the California Coastal Commission (CCC) requesting edits and changes to the Local Coastal Program Amendment Application No. LCP-1TRN-16-0065-1 to Amend Regulation for Short Term Rentals. The STN's document included requests to change definitions of such words as *dwelling*, *bedroom*, *occupant*, and *visitor*. It also asked for revisions of the language in such documents as applications and building inspections. Along with other issues, it states concerns about water usage, septic system size, traffic, and parking.

The result of ongoing talks, formal meetings, and zoning discussions was the twelve-page Ordinance 2016-03. In it, the CCC stated that:

- *STRs are an allowable use in residential zoning.*
- *STRs serve a benefit to the Coastal Act's goals by providing coastal lodging.*
- *Coastal Act section 30213 protects lower cost visitor...uses, including STRs.*
- *The City has an obligation to accommodate those uses.*

This ordinance gave direction to Trinidad city government in its effort to develop a balance among the interests of the CCC, residents, property owners, STR owners, city businesses, and visitors. Many hours were spent in conversations, meetings, hearings, etc. to develop STR standards which include:

- Definition of terms
- Number of STRs allowed
- STR application process
- Renewal requirements
- Occupancy numbers
- Noise limits
- Parking rules
- Signage
- Trash, water, and septic limits

The list of topics represents most of the complaints filed by those opposed to STRs. The ordinance is too detailed in its discussion of each of these topics to be included in this report; however it can be accessed via the City of Trinidad website. The HCCGJ believes the number of complaints will decrease if the rules and regulations in Ordinance 2016-03 are followed by the residents, STR owners and property managers, visitors, and city council members.

Also contained within the Short Term Rental Ordinances is the process for handling violations. STR property managers or owners are required to meet with at least one of the STR occupants on the first day of tenancy to explain the regulations and to affirm occupants have represented themselves correctly. Tenants are required to initial a form called the Good Neighbor Contract to signify they understand and agree to abide by the rules. In addition, each STR must have a 24-hour contact phone number prominently in place within it. That number must be forwarded to the city clerk, law enforcement, the fire department, and to each neighbor within 300 feet of the STR. It also must be posted on the city's website.

The HCCGJ believes the city has developed an ordinance with the goal of improving the relationship between visitors and residents. The problem, however, is some residents claim enforcement has been lax. According to complaints, STR owners or property managers either have not responded or have

responded inappropriately to neighbors' concerns. At the time of this report, Trinidad does not have a full-time deputy assigned, but residents hope one will be provided soon, which will allow for quicker responses to complaints.

Appeal Process

According to city officials, the following is the complaint/appeal process which has been followed. Appeals are first heard and decided by the City of Trinidad's Planning Commission. If that decision is not satisfactory to any of the parties, they may appeal to the city council. If the council concurs with the city's planning commission's decision, the appeal is assumed to be denied. At this point, there has been a breakdown in the system in that sometimes the person filing the appeal is not informed of the final decision. Thus, the complainant does not know if the appeal has been heard or decided. The HCCGJ believes that notification of the city council's actions should be forwarded in writing to the complainant.

If a dispute continues after the appeal, according to the licensing agreement between the STR owner and the City of Trinidad, the ordinance says:

STR owners agree to engage in mediation and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as an STR. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution should be conducted through Humboldt Mediation Services.

Following the rules and communicating decisions should alleviate disputes with the complaint process.

Conflict of Interest

A current city council member owns an STR and the partners of both a city official and another council member are STR property managers. Some in the community feel this situation raises the issue of a conflict of interest on the part of the council when they are discussing or deciding issues such as renewals and violations related to STRs.

The California Fair Political Practices Commission delineates conflict of interest issues in Chapter 7 of its Regulations Index. In Statutes 18700 and 18701, it presents the Basic Rule and Guide to Conflict of Interest Regulations and Determining Whether a Financial Effect is Reasonably Foreseeable. A citizen of Trinidad filed a complaint with the Enforcement Division of the Fair Political Practices Commission regarding conflicts of interest on the part of three city officials. The Commission replied that it

...provides advice and opinions only to those persons whose duties are in question under the Act. As of this date, the governmental decision has not been made and the matter is hypothetical. For this reason, we will not pursue this matter further.

The HCCGJ does not have jurisdiction to address the question of whether city council members and city officials have conflicts of interest. However, the minutes of some city council meetings indicate that those most closely associated with STRs have recused themselves from decision making. Nevertheless, it is unclear whether city council members consistently recuse themselves and what criteria are used in making such decisions. Persons who have questions regarding the conflict of interest laws as applied to STRs in Trinidad should contact the FPPC for more information.

FINDINGS

- F1. Trinidad's complaint and appeal process has been slow and inconsistent which has led to confusion and frustration among residents.
- F2. Lack of compliance to Trinidad's Short Term Rental Ordinance by some Short Term Rental owners and property managers create frustration and animosity in the community.
- F3. Trinidad would benefit in having law enforcement assistance during tourist season to handle immediate violations of the STR ordinance.
- F4. It is unclear what criteria is used for city council recusal of those members who own or manage an STR which leads to a perception of conflict of interest within the community.
- F5. Because there is often no written notification of the result of an appeal, complainants sometimes are unaware if a resolution has been reached.
- F6. When properly utilized, Trinidad's Short Term Rental Ordinance provides workable methods for solving problems associated with Short Term Rentals.

RECOMMENDATIONS:

The Humboldt County Civil Grand Jury offers the following recommendations to the City Council and to the citizens of Trinidad to consider for the peace and comfort of residents and visitors.

- R1. The Humboldt County Civil Grand Jury recommends the city of Trinidad and the citizens of Trinidad follow the steps outlined in Ordinance 2016-03 to solve complaints in reference to Short Term Rentals. This should take place upon receipt of this report. **(F1, F2, F6)**
- R2. The Humboldt County Civil Grand Jury recommends that the city of Trinidad consistently and strictly adhere to Ordinance 2016-03 to manage the short-term rental application and renewal process. This should take place upon receipt of this report. **(F1, F2)**
- R3. The Humboldt County Civil Grand Jury recommends the City of Trinidad allocate a portion of Transient Occupancy Tax revenue to hire seasonal enforcement staff to deal specifically with Short Term Rental issues by December 31, 2018. **(F3)**
- R4. The Humboldt County Civil Grand Jury recommends Trinidad city council members who own or manage Short Term Rentals always recuse themselves when STRs are considered, discussed, or voted upon. Said recusals should be recorded in the meeting's minutes. This should begin immediately upon receipt of this report. **(F4)**
- R5. The Humboldt County Civil Grand Jury recommends the Trinidad city manager notify complainants in writing within seven working days of all city decisions on Short Term Rental complaints and appeals. This should begin no later than October 1, 2018. **(F5)**

REQUIRED RESPONSES

Pursuant to Penal Code section 933.05, the Humboldt County Civil Grand Jury requires responses from the following governing bodies:

- City of Trinidad, City Council **(R1, R2, R3, R4 R5)**
- City of Trinidad, City Manager **(R1, R2, R3, R4 R5)**

INVITED RESPONSES

- Saving Trinidad Neighborhoods **(R1, R2, R3, R4 R5)**

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

BIBLIOGRAPHY:

Web links:

[City of Trinidad STR Ordinance 2016-03](#)

[City of Trinidad Ordinance 2014-01](#)

[City of Trinidad VDU Ordinance 2012-02](#)



STR COMMITTEE BACKGROUND INFO

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

8. 2018 AD HOC COMMITTEE REPORT (FROM COUNCILMEMBERS WEST & BAKER) AND CITY MANAGER BERMAN'S RESPONSE.

Finding for the City of Trinidad Short Term Rental Ordinance, Section 17.56.190

Councilman Jack West

March 7, 2018

Jim Baker and I agreed to work on finding solutions to some of the issues brought forth by residents of Trinidad concerning the City's STR Ordinance. Since most of the complaints to the City of Trinidad came from residents of Ocean Avenue, we decided to concentrate our efforts in this area, hoping to resolve issues there that could be used to solve problems throughout the City. Jim looked carefully at each of the STR's on Ocean Avenue, analyzing the issues with each home. We discussed and I agreed with his findings. I was more concerned with the City offices and their roles working with the community and taking care of STR business.

Parking:

One of the key areas of concern was parking. Homes on Ocean Avenue are bordered by Ocean Avenue and an alley. Either provides possible parking. Since most of the homes have converted garages into bedrooms or rentals, there is little garage parking in the alleys. Therefore, much of the STR parking is on Ocean Avenue. Jim and I spent some time surveying the alley to see if there was room for parking alongside these homes, but still leaving enough room for emergency vehicles. That information has been turned in to the City and needs to be addressed.

Parking is a sensitive issue and problems can clearly be observed by community members. It needs to be one of the top issues for the City. If residents cannot find parking because there are too many exceptions to the parking rules, or the off-street parking is not being utilized, more complaints will be filed. All parking should be carefully regulated with as few exceptions as possible. No rental permit should be dispensed without all parking spaces legally cleared by City staff.

Section 17.56.190 (6.26) M STR Standards defines parking:

6. Off-Street Parking. An STR must provide at least one off-street parking space for every two occupants allowed in the STR pursuant to Section 17.56.190 (6.26) M.3. The off-street parking space(s) shall be entirely on the STR property. STR owners/managers shall not use public right-of-way (street) spaces to meet their required off-street parking needs. Off-street parking spaces will not be located on the septic system unless it is designed and rated for traffic in a manner that will not compromise the functioning of the septic system. STRs that were previously granted a parking exception by the City may continue to operate under that exception as long as they maintain their STR license in good standing. Occupants will be required to utilize onsite parking prior to utilizing offsite and on-street parking as part of the rental contract but are not allowed to park onsite in undesignated parking spaces. Occupants and visitors should be encouraged to take up on-site parking and not to use available street parking of adjacent and nearby properties.

OWTS:

It is the responsibility of the City to make sure the OWTS standards are met for all STR's. The OWTS standards are recorded for every STR, but we found that some standards set for the rentals did not seem consistent. However, these standards are set and inspections are completed by outside staff who make recommendations to the City Manager and Inspector. Some of the STR septic systems are new, so they are given a longer time between services. Older systems may need to be inspected yearly. Since these organizations are the experts, it is important for us to follow their recommendations. There have been complaints about the OWTS regulations, so it seems the standards should be clear for both the City Manager and the community. Section 17.56.190 (6.26) M STR Standards defines septic systems:

8. Septic System. Each STR's owner or property manager must provide proof that the septic system for the structure in which the STR is located is functioning properly and in conformance with all federal, state, and local regulations. Information on the appropriate use of a septic system, in a form approved by the City Manager, shall be posted in each kitchen and bathroom in the STR.

Signs:

Signs have been a small concern, but the rules are clear and yet not always followed. Vacation rentals are not required to install signs, but there are rules for those that have signs. Signage needs to be consistent and enforced. Section 17.56.190 (6.26) M STR Standards defines signs:

10 Signs. A single sign, legible from the property's street frontage, and no greater than 3 square feet in size may be attached to the STR structure or placed immediately adjacent to the front of the STR structure. The purpose of the sign is to notify the public that the structure is or contains an STR. The sign must provide the 24-hour Contact Phone Number for complaints and a business telephone number for persons seeking information on the STR. The signage shall comply with all applicable standards of the Zoning Ordinance's sign regulations.

Applications:

Both Jim and I saw complications with the permit paperwork handed in by applicants. Some of the applications were poorly completed, especially the site plans. Site plans need to be proportional to the home and easy for the City Inspector to follow. Many current site plans are not properly completed. The City Inspector should reject plans he feels are not complete. The City should provide a template and instructions to help the owner through this process. The City plans to make changes to this process in 2019.

Section 17.56.190 (6.26).E defines application requirements:

Application Requirements

b. A site plan and floor plan must be submitted along with the STR License application so the City can verify the number of bedrooms, off-street parking spaces, and other requirements. The site plan and floor plan do not have to be professionally prepared, but must be to scale and include enough information to verify compliance. A sample rental agreement that includes the Good Neighbor Contract and any other forms as required by the City Manager shall also be provided. Applicants for a Homeshare or Resident STR License shall include documentation that the property is their Primary Residence.

Complaints:

Trinidad does not have a large enough staff to take care of problems associated with STR's as efficiently as the community wishes. There are not workers on staff 24 hours per day, and no one working weekends. A sheriff's deputy is not on duty most of the weekend evenings when there may be issues with rental homes. However, the STR Ordinance outlines ways to report issues related to the STR Ordinance. Although a problem with an STR cannot be immediately dealt with by the City staff, there are ways it can be diffused through the STR owner or manager and staff. If this does not satisfy the community, the next step takes much more time and effort. Much of the enforcement falls on the shoulders of the City Manager, who was not solely hired to be the enforcer of ordinances.

We recommend the City Manager delegate responsibilities. There should be a systematic method to complaints that begins with immediate feedback to the claimant. Since the first response is an acknowledgement of the complaint only, it can be done by one of the clerks. The City Manager needs to review the complaint and send it to the staff member that is most qualified to deal with a complaint. With a planner, sheriff's deputy and building inspector on staff, the City Manager should find one of these professionals to follow up on the complaint. The enforcement then is shared among the Trinidad staff.

These were some of the issues we felt the City could consider to ease the workload and help share responsibility for STR issues:

- Be sure all requests or complaints from the community are immediately acknowledged.
Our new staff member is being trained for this process.
- Be sure that the "Meet and Greet" policy is followed (section 17.56.190 (6.26).M)
There needs to be a signature from the owner and the person greeted
- Make sure all rentals are following the regulations listed in the ordinance.
The City is working to improve this process.
- Define who is responsible for enforcing and clarifying OWTS regulations
The City is working to improve this process.
- Make sure all requirements for notifying neighbors of nearby STR's are being followed.
The City will be using the new staff member to improve this process.
- Be sure the correct official is taking care of permit inspections or complaints.
The City is working to improve this process.
- Make sure parking is clear for both visitors and STR owners, especially in the alleys.
The City will soon be putting signage in the alleys to maintain a 16' clearance for emergency vehicles
- Use mediation and/or arbitration as a step to resolve disputes between residents and STR business.
The City is working to improve this process.

Overall Conclusions:

The City of Trinidad is going to have Short Term Rentals as part of the community. This town has been an attraction to people from all over the world and will continue to be a popular tourist area. By ordinance, we allow these rentals under the scrutiny of the City government. Almost all visitors and owners appreciate and respect our community interests, and our vacation rental businesses do a good job of taking care of their rentals and following the rules within the ordinance. However, there will be occasional problems that will cause issues with neighbors. This is unfortunate, but that is why there are methods for the public to file a complaint.

In addition to the Ordinance, we recommend a yearly community meeting with both rental businesses and community members to discuss STR issues. It should be held before new permits are issued and after the STR summer season is completed.

Rules for STR's should be strictly enforced so that there are fewer complaints. STR owners need to understand that the onus of maintaining their businesses responsibly falls on their shoulders, so they need to be cautious to whom they rent. Rentals in the City should be for families and friends, not for public celebrations or parties. STR's are expected to be used much like a family dwelling.

All of us, the citizens, STR owners, vacation rental businesses and City need to work together to make sure the ordinance has a chance to succeed. At this time, members of the community are concerned that the former VDU ordinance was not enforced properly and are putting a lot of pressure on City staff, the Planning Commission and the City Council to increase enforcement. Between the concerns of the citizens and the amount of work being asked of them to enforce this ordinance, the City is having a difficult time effectively carrying this out. My hope is that the community as a whole (vacation rental businesses and owner, citizens and the City) can give this new ordinance time to develop, to give the City time to take care of some of the issues that have plagued the STR business in the past.

We recommend the City Council develop an STR committee to review and update the STR Ordinance, consider methods to help with enforcement, and organize a yearly community meeting. The membership would be decided by the Council, but we would suggest at least one council member, a member of the community and an owner or local vacation rental representative.

Preliminary Findings and Opinions Regarding STR Materials

Gathered by a Trinidad Citizen's Committee

And Specific Findings Regarding Five Specific STRs on Ocean Avenue

by

Councilman Jim Baker

Preliminary findings and opinions regarding STR materials gathered by a citizen's committee including Dorothy Cox, Kathleen Lake et al

A) General Comments and Recommendations

I have the following specific recommendations after reviewing the license applications and citizen's committee notes, and discussing the issues with a cross-section of Trinidad citizens and the broader community:

- 1) The procedure of processing complaints needs to be streamlined to ensure fair and consistent results. A flowchart previously produced by planning commissioners Richard Johnson and Mike Pinske would be a good start toward more efficient structuring of these procedures. A copy of this flowchart is attached to this report.
- 2) The final decision to issue a notice of violation should be made by a committee of individuals which may include the City Manager, instead of the City Manager as the sole decision maker. This diffuses and democratizes the decision-making process to a greater extent and hopefully makes it less subject to criticism and accusation of self-interest.
- 3) I have come to the conclusion that the importance of the STR owner "meeting and greeting" STR guests in a personal manner cannot be overstated in setting the tone for an enjoyable and pleasant stay in Trinidad for guests and neighbors alike. This obligation should be emphasized in the investigation and processing of complaints and consideration of issuing violation notices.
- 4) I think that there should be more emphasis on the obligation as stated in the STR ordinance to engage in mediation in the event of an intractable disagreement between STR owners and neighbors over whether or not a violation of the ordinance has occurred. This should only take place if the normal complaint process has totally failed to satisfy both parties, but would allow a trained, neutral third party to suggest options for coming to a mutually satisfactory conclusion.

These recommendations are by no means exhaustive, but hopefully may serve to stimulate a productive discussion among the City Council, Planning Commission, STR business owners and community members regarding continuing improvement in the implementation process of the City's STR ordinance.

The citizen's committee's complaints and questions focused on the following general areas of concerns:

- a) Inadequate onsite parking spaces.
- b) Inadequate OWTS systems.
- c) Complaints about existence of accessory units on a single parcel sometimes being advertised as separate STRs, illegal second unit conversions, and "multiple households in single family dwellings".
- d) General nuisance complaints such as noise, abusive language and behavior by guests, speeding in alleys, excessive guests overnight, dog issues, etc. as covered under section 17.56.190 (6.26).M (STR Standards) of the STR Ordinance.
- e) Improvements needed in the complaint process itself, including simplifying and more efficiently structuring the process and improving response time.

Onsite Parking

Since adequate onsite parking is a critical issue, especially in clustered neighborhoods like Ocean Avenue, a survey was completed in the summer of 2017 to define the limits of the public rights-of-way on Ocean Avenue and the alley to the rear of the STRs located on the east side of Ocean Avenue. These lines were then superimposed on an aerial map to illustrate the limits of allowable onsite parking per section 17.56.190 (6.26).M.3 of the City's STR Ordinance. The City is currently in the process of determining whether or not alley parking may extend into the 20' alley-right-of way and if so, by how much. This decision will affect future decisions regarding how many off-street parking spaces will be available for each STR application. In addition, hedges and other landscaping extending into the public street right-of-way at 407, 357 and 308 Ocean Avenue have been or soon will be removed to allow for six more public parking spaces. In addition, the owners of 308½ Ocean Avenue have moved a fence and increased the width of the existing onsite driveway by two feet at this legal nonconforming dwelling unit to add another legal onsite parking space. All of these changes will help to alleviate pressure on parking along Ocean Avenue in an area of existing STR clustering.

Section 17.56.190 (6.26).H.2 of the original 2014 VDU ordinance allowed for administrative exceptions for the minimum number of onsite parking spaces required for VDU approval (one space per two occupants). An administrative exception was allowable if the VDU had been in existence for a minimum of two years and could not "feasibly comply" with the ordinance parking requirements. The amended 2016 STR ordinance followed up on this administrative exception clause by stating that "STRs that were previously granted a parking exception by the City may continue to operate under that exception as long as they maintain their STR license in good standing" in Section 17.56.190 (6.26).M.6.

OWTS Systems

Unless noted otherwise, all of the following STRs have valid OWTS permits, subject to regular maintenance as required by those permits.

Detached Living Spaces and Accessory Units

The Planning Commission will be developing clearer definitions of detached accessory structures on single parcels and permitted uses of such structures in the coming year.

Nuisance Complaints and Processes

This subject is covered in Section 17.56.190(6.26).E.2 (Contact Information) of the STR Ordinance. The limited City staff and lack of redundancy in staff job responsibilities puts real limitations on response time for complaints and public records requests. Realistic strategies for dealing with this limitation need to be developed, clearly defined to the public, and adhered to. I think that dealing with this issue is one of the most important things the City can do to improve our relationship with the public that we serve.

Miscellaneous

The quality and accuracy of the site plans and floor plans on previous STR applications varied widely, from rough hand drawn sketches with no dimensions to CAD or professional draftsman quality renderings which would be suitable for building permit applications or construction drawings. I suggest providing applicants with "sample" site plans and floor plans showing minimum requirements for these documents which will better enable proper inspections to take place. The STR Ordinance minimum requirements are that the drawings be "to scale". This indicates that in the absence of shown dimensions, it should be possible to accurately determine them by scaling them from the drawing.

B. Findings Regarding Five Specific STRs on Ocean Avenue

We confined the findings on specific STR applications to five locations on Ocean Avenue because of the "clustering" effect they were having on this particular neighborhood, thereby magnifying the importance of making certain that their license applications were being reviewed in conformance with the City's new STR ordinance.

1) 363 Ocean Avenue -McCarter

2016-17 license application copies and committee notes superimposed on it indicate that this STR is licensed for three bedrooms and 8 occupants. Inspection performed by John Roberts.

Site and floor plans appear inadequate, including the fact that they contain no dimensions whatsoever. An attic space converted to a children's playroom is not shown on the floor plans.

Site Plan indicates three parking spaces in front of house, parallel to Ocean Avenue. In fact, front yard landscaping extends to the public r-o-w line and there is no existing onsite parking in the front area of the lot. What appears to be a converted garage is located in the rear of the lot. The northeast corner of this garage is 10'11" west of the west r-o-w line of the alley, and the southeast corner is 8'0" west of the line. A fence parallel to the alley and south of the garage is 8'2" west of the line. The width of the lot is 50'. One standard parking space of 8'6" X 18'0" parallel to the alley would fit entirely in the northerly half of this space. If an allowance were given to let the space extend a few inches into the alley r-o-w to allow another parallel parking space in the southerly half of the 50' alley frontage, two legal parking spaces could be accommodated within this area. However, the southerly space would block the entryway into the converted garage structure. According to the City Planner's application checklist, there are no onsite parking spaces available for STR occupants, but an administrative parking exception was granted under the conditions specified in the City STR ordinance.

At the time of the STR license application, an application had been made to the City Planner to allow a converted garage structure in the rear of the property to either be grandfathered in as a legal nonconforming 2nd unit (accessory dwelling unit) or additional living space (detached accessory structure). This cannot be rented as a second STR in addition to the main structure.

The 2017-18 license application indicates that the STR is still licensed for three bedrooms, and specifies a maximum occupancy of 6 adults and 2 children. The site and floor plans still contain no dimensions, and the proportion of the main residence structure shown on the site plan is totally different than that shown on the floor plan. This indicates that one or the other, or both, of the sketches are not drawn to scale. No scale for the sketch is shown on either of the drawings so it is impossible to check the accuracy or square footage of either one without onsite measurement by the City inspector. The location of the septic system is indicated by a single rectangle, without specifying the locations and sizes of the both the leach field and septic tank. I would classify both drawings as schematic rather than "roughly to scale", and encourage the City to include sample site and floor plan drawings with STR application forms in order to provide more guidance to applicants regarding what is expected in this regard. A sample plot plan from the Humboldt County Planning Department is attached to this report as an example. This could be simplified or revised by City Staff to suit Trinidad's requirements for its STR license applications.

The 2017-18 license application, like the one from the previous year, continues to include three parking spaces within the public right-of-way on Ocean Avenue in front of the property as "off street" spaces. This is simply not the case. There may be a maximum of two off street spaces adjacent to the alley in the rear portion of the property, depending upon the City's pending determination of the maximum encroachment of such spaces into the alley right-of-way without inhibiting access of fire suppression vehicles in the course of their work.

2) 381 Ocean Avenue –Sterling

The site and floor plans on the 2016-17 application also appear inadequate, including the fact that they contain no dimensions whatsoever.

This application indicates a one bedroom STR with 2 adults and one child maximum occupancy in the main residence. There is a converted garage structure in the rear of the lot which has been approved by the City as a detached accessory structure without a kitchen, and is rented to a tenant who has access to the kitchen in the main structure which is utilized as the STR on the parcel. This arrangement is memorialized in the STR contract and understood by STR occupants prior to signing the contract. An

appeal was filed before the Planning commission regarding the City determination that the detached structure is a detached living space rather than a detached dwelling unit, and that determination was upheld. Building Inspector John Roberts inspected this structure again in 2016 and in his report to the Clerk and City Manager dated August 31, 2016 found that it was still being utilized as a "detached bedroom with full bath, and a small sitting room with a sink, counter and fridge and that no cooking facilities exist". In an emailed complaint response to members of the neighborhood citizen's committee dated April 26, 2017, City Manager Dan Berman confirmed that it was still being utilized as a "detached living space" which is a permitted use and would be re-inspected along with the main house as part of the current STR application process.

As pointed out by a citizen complaint, an April 2017 advertisement for this STR stated "Off-street parking, located right in front of the house, is available for up to two vehicles during your stay". Although implied by the original site plan indicating two "unofficial" parking spaces in front of the house, in fact there is no room for off-street parking in that area outside of the Ocean Avenue right-of-way, as determined by the 2017 right-of-way survey.

An administrative exception has been granted for one off-street parking space, as allowable under section 17.56.190 (6.26).M .6 of the STR Ordinance. There is one onsite parking space indicated on the STR application and designated "official parking space" on the site plan. In fact, this space is presently being utilized as a patio adjacent to the detached accessory structure, although it could easily be converted to a parking space by removing plants, outdoor furniture, etc. and opening the gate adjacent to the alley. The area fronting on Ocean Avenue on the site plan designated "unofficial parking" is in fact within the public right-of-way. Another area in the rear of the lot adjacent to the alley is shown on the site plan with the same designation. The distance between the rear of the accessory structure and the alley r-o-w varies between 6 and 6 ½ feet, so two legal parking spaces parallel to the alley would be possible in this area if they were allowed to extend about 2 feet into the alley r-o-w. This option is pending a City decision regarding the necessary unobstructed width necessary within the alley at all times for passage of fire fighting vehicles.

The 2017-18 application indicates a one bedroom STR with a maximum occupancy of two adults and two children as allowed in the ordinance, which differs from the 2016-17 stated maximum occupancy of two adults and one child. The site plan appears to be unchanged from the 2016-17 one. My copy of the 2016-17 application does not contain a floor plan. The 2017-18 application does include one, but without any dimensions nor scale. My comments regarding parking at this STR for the previous application continue to apply to the 2017-18 application, as far as I can ascertain, as well as my previous comments regarding the structure in the rear portion of the property

3) 407 Ocean Avenue – previously owned by Reinmans

This residence is under new ownership, but was previously licensed in 2016-17 as a 3 bedroom STR with 6 occupants and 3 off street parking spaces. Although these spaces are not shown on the site plan, they would be in the front driveway and garage, and a single legal onsite parking space at right angles to the alley in the southeast corner of the parcel. The structure in the rear of the parcel which appears to have once been a garage is set back only 2 ½ feet from the alley r-o-w line. If parallel parking spaces were allowed in this area, they would be encroaching 6 feet into the alley right-of-way. There is one inspection performed by Dan Berman.

The new owner of 407 Ocean, Michelle McHenry, reapplied in time for the 2017-18 licensing period. The new application was for 3 bedrooms as was the previous one. Stated maximum occupancy was for 6

adults and 2 children. The application stated that Ms. Henry was presently occupying the main residence and only intended to rent the "attached suite", which would have a maximum occupancy of two guests under those conditions. The new application indicated a total interior area of 2305 square feet, while the previous one indicated the total as 1800 square feet. This may have been because the new application included the areas of the residence and the rear structure, while the previous one may have only included the main residence. Without any dimensions shown on the application site plan, that could not be determined without a City inspection and onsite measurement.

4) 461 Ocean Avenue –Covney

2016-17 license application indicates that this STR is licensed for two bedrooms and 6 occupants. Inspection performed by Sandra Cuthbertson. Three off street parking spaces are indicated on the application, and shown on the site plan as all being in the front driveway. In addition, there is room in the rear of the parcel for four additional parking spaces. This rear area is adjacent to a legal non-conforming accessory dwelling unit which is not supposed to be utilized as a 2nd STR on the property.

The 2017-18 license application is essentially the same as the previous one, with the exception that the total interior area is listed as 1500 square feet on the latest one, and 2000 square feet on the previous one. The 2017-18 site plan is updated from the previous one to include the floor plan of the accessory dwelling unit in the rear of the property, along with the four legal parking spaces in the northeast portion of the parcel. The floor and site plans for this application are the only ones of those reviewed to show dimensions, with an approximate scale of about 1" = 13', although the scale is not actually shown on the plans themselves.

4) 495 Ocean Avenue –previously owned by Vallee Janes

License application indicates that this STR was licensed for three bedrooms and 6 occupants. Inspection performed by John Roberts. Three off street parking spaces are indicated on the application, two of them in the rear garage and one compact car parallel to the alley adjacent to the garage. This 3rd space would have to extend 3 ½ feet into the alley r-o-w to meet the required width of 8 ½ feet.

This parcel was sold after the 2016-17 license year and so was not eligible for an STR license in the 2017-18 year. This reduces the total number of STRs in Trinidad toward the cap number, as defined by the STR ordinance. When the cap number is reached, it will be maintained at that level.

Councilman Jim Baker

Date

Councilman Jack West

Date

DISCUSSION AGENDA ITEM

Date: March 14th 2018

Item: STR Ad-hoc Committee Reports

Summary

Councilmembers West and Baker have been serving as an ad-hoc STR Committee over the past year to work with interested community members and staff to review STR Ordinance Implementation and make suggestions. They have produced a pair of reports summarizing their conclusions and recommendations which are included herein. Most of their recommendations can be implemented by staff without any Council action, however some recommendations involve Council direction, and some may involve future amendments to the current STR Ordinance.

A brief staff discussion of some of the issues raised in the Committee Reports is also attached, and is intended to follow rather than lead the Committee Reports.

Staff Recommendation:

Staff recommends:

- the STR Ad Hoc Committee present their report and recommendations
- Council accept public comment
- Council consider adopting some or all of the Committee Report Recommendations

Attachments: STR ad-hoc Committee Reports (2)
Staff Notes on Committee Reports

Staff Notes on STR Ad-hoc Committee Report Issues

Parking

The revised Ordinance discourages any new parking exceptions but allows existing parking exceptions to carry forward. No new exceptions have been granted. Three properties in the UR zone in Trinidad have been granted parking exceptions.

Ocean St. Alley

Staff and Council members have reviewed the alley widths and consulted with our Volunteer Fire Dept. and with Calfire. Both entities believe their emergency access needs can be met as long as a clear 16' wide path is maintained. The alley right of way is 20' wide. There are many long-used parking places along the alley. A few are entirely on private property, many extend a few feet into the right of way, a few are almost entirely in the right of way. Staff's plan is to increase signage in the alley and work with individual property owners to ensure that the clearance for emergency vehicles is maintained, and signage is adequate for our deputies to use parking citations to keep the alley clear. Where long used parking places can safely fit, staff will work to allow them rather than to force those vehicles onto surrounding streets.

OWTS

All STRs have current OWTS permits from the City. City OWTS permits set a regular maintenance schedule based on information available about the system and its use. OWTS are typically permitted based on the number of bedrooms – i.e. a 'two-bedroom OWTS'. No STR is allowed occupancy in exceedance of the permitted OWTS capacity.

Signs

STRs are not required to have identifying signs, but if they are used the Ordinance limits their size, number, location, and content.

Applications

Applications have varied widely in terms of the accuracy and detail of the site and floor plans. Staff have a template example that we provide to applicants, and we did request revised materials from some applicants in the most recent permitting round.

Complaints

Please see attached for a draft STR Complaints Policy

Arbitration/Mediation

The City can encourage arbitration or mediation, and could require it of the STR License holder, but cannot require it of the party with the complaint. Where the underlying problem is that neighbors do not want an STR next to them, staff do not see mediation or arbitration has likely to be helpful.

Meet and Greet Requirement

This is one of two new requirements in the revised Ordinance to ensure that STR guests are fully informed of STR rules. The other new requirement is for the guests to initial and sign a one page summary of the key rules on noise and occupancy. Those rules are also found inside the STR.

The signed rules summary is easy to implement, serves as documentation, and is a good way to insure guests are fully aware of the rules when they book the house.

The meet and greet is more problematic. The main challenges as presented to staff by STR managers are 1) coordinating the physical timing, and 2) Redundancy and imposition on guests.

The timing is difficult because guests are often arriving after a long drive and their arrival time is very uncertain—they may stop for dinner, or a walk. They may arrive so late that a meet and greet could disturb the neighbors. Plans could be made to conduct the meet and greet the next morning, but again many guests may be eager to pursue their own schedule for the day rather than to be tied down to a meeting. Most STR guests are not expecting to have to schedule and coordinate an in-person meeting as part of their vacation. Hosts have also been clear that they and their guests feel the meeting is redundant with the rules summary that guests have already reviewed and signed.

The Ordinance is not specific about how to document the meet and greet for compliance. Staff initially thought that the Signed Rules Summary could work as documentation but has come to understand that this form is almost always completed ahead of the guests arrival. A separate form to document the meet and greet could be utilized.

Disputes over Planning Issues

STR licenses have been, and continue to be, challenged over planning and zoning issues, largely around kitchens, second units, and detached living space. These issues are not specific to STRs, but there is significant overlap. Some of the properties on Ocean St. discussed by Councilmember Baker's report fall into this category.

A number of these challenges were made in 2015-16, and the Planning Commission heard that appeal and affirmed staff's decision in July of 2016.

The Council has asked the Planning Commission to review City Code and try to help resolve some of this issues. Past City decisions to allow detached living space, while not allowing a second unit, have led to a number of situations where a detached bedroom has been legally permitted, is technically in compliance with those permits, but is effectively being used as a second unit. Newer state laws seeking to increase housing by

Recommendation for New STR Committee

Staff are open to these recommendations.

City of Trinidad

Working Draft STR Complaints Procedure

Step 1. Complaint made, acknowledged, and documented on Complaint Form.

Complaints to be made on an official City Complaint Form. Complaints received via phone, email, or other format will be responded to within one working (business) day with an acknowledgment, and a request to please complete the official Complaint Form. The Form will also be available on the City Website. Receipt of the Complaint form will also be acknowledged. Time Frame: Response within one business day.

Step 2. Share complaint with STR Owner. Make Information Requests.

City Staff will review the complaint, share it with the STR manager/owner, and request additional information as needed from all parties. This stage may involve conversations with all parties to clarify what happened.

Time Frame: three days to share complaint and request additional information. City will request that additional information be provided within a week of receipt of the request.

Step 3. Initial Draft Findings. City staff will produce an initial written draft of their determination within one week of receipt of all requested information. That draft will be shared with both parties for review and comment (one week allowed).

Step 4. Final determination. City Staff will produce a final written determination regarding the complaint and share with all parties.

Each complaint, and the progress of these steps in responding to it, will be tracked in a basic spreadsheet as well as a hard copy file.

Example timeline:

Step 1. Complaint received Saturday March 10 via email

Acknowledgment and request for Complaint Form provided Monday March 12. Completed Complaint Form accepted Tuesday March 13th.

Step 2.

City reviews complaint, shares with STR owner/manager, and requests additional information via letter no later than Friday March 16th. The letter provides the manager with one week to respond (by March 23).

Step 3. City reviews information and issues draft determination within one week, by March 30th.

Step 4. After reviewing any responses to draft determination, City issues Final Determination approximately one month from receipt of complaint.